

CHAPTER 21. STATEWIDE HUMAN SERVICES DELIVERY  
PART I. HUMAN SERVICES DISTRICTS AND AUTHORITIES:  
GENERAL PROVISIONS

§910. Legislative intent and public policy

A. The legislature finds and declares that state-funded behavioral healthcare and care for persons with intellectual disabilities and developmental disabilities are better directed at a local level to ensure local accountability, responsiveness to the unique needs of the community, and the establishment of local partnerships and relationships with other local agencies that serve individuals in the community.

B. The legislature also finds and declares that the statutory creation of the ten statewide human services districts and authorities was intended to serve this purpose and each has done so since initial inception and completion of the readiness assessment enacted by the legislature.

C. The legislature further finds and declares that it is now time to move past the readiness assessment phase of operation of the statewide human services districts and authorities through a modernization and consolidation of the law established in this Part.

D. The legislature therefore declares that this Part establishes the evolution of the statewide human services districts and authorities to create a more robust opportunity for them to excel at their mission of being the community director for behavioral health services and services for individuals with intellectual disabilities and developmental disabilities.

Acts 2017, No. 73, §1, eff. June 7, 2017.

§911. Definitions

As used in this Chapter and unless the context clearly requires otherwise:

(1) "Behavioral health services" means community-based mental health and substance-related and addictive disorders services.

(2) "Board" means the governing body of the district or authority.

(3) "Case records" means medical and treatment records, records and investigations of abuse or neglect of adults, records of public health services including children's special health services, nutrition, and immunization, and other medical, disability, or behavioral health service records related to services provided by the district or authority or the department.

(4) "Department" means the Louisiana Department of Health.

(5) "Human services accountability plan", referred to in this Chapter as "accountability plan", means the statewide human services plan developed by the department in consultation with the Human Services Interagency Council which sets forth the criteria, process, timelines, guidelines for service delivery, clinical protocols, evidence-based practices, quality management and monitoring, data collection and reporting, performance outcome measures, and information management to be followed by the department and the districts.

(6) "Human services district or authority" and "district or authority" mean a local governing entity, as identified in R.S. 28:912(A), with local accountability and management of behavioral health, intellectual disability, and developmental disability services as well as any public health or other services contracted to the district or authority by the department.

(7) "Human services framework", referred to in this Chapter as "framework", means the requirements specified in the contract between the department and the district that set forth the organizational structure, eligible and priority populations, core and targeted services, and standards for intake and access to institutional and community services, which require adherence

to the human services accountability plan for a district. The framework is developed, implemented, and monitored through an ongoing statewide process performed by the department in consultation with the Human Services Interagency Council.

(8) "Secretary" means the secretary of the Louisiana Department of Health.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017; Acts 2017, No. 369, §2; Acts 2018, No. 206, §1.

## §912. Creation and jurisdiction

A. The human services districts and authorities shall be:

(1) Capital Area Human Services District, which shall comprise the parishes of Ascension, East Baton Rouge, East Feliciana, Iberville, Pointe Coupee, West Baton Rouge, and West Feliciana.

(2)(a) Jefferson Parish Human Services Authority, which shall comprise the parish of Jefferson.

(b) The governing authority of Jefferson Parish shall continue to provide funds and in-kind contributions for the Jefferson Parish Human Services Authority on at least the level of funding and in-kind contributions in effect during the 1990 fiscal year.

(c) The Jefferson Parish Council shall have the authority to levy taxes and issue bonds or other obligations for the provision of services at the Jefferson Parish Human Services Authority.

(3) Florida Parishes Human Services Authority, which shall comprise the parishes of Livingston, St. Helena, St. Tammany, Tangipahoa, and Washington.

(4) Metropolitan Human Services District, which shall comprise the parishes of Orleans, St. Bernard, and Plaquemines.

(5) South Central Louisiana Human Services Authority, which shall comprise the parishes of Assumption, Lafourche, St. Charles, St. James, St. John the Baptist, St. Mary, and Terrebonne.

(6) Northeast Delta Human Services Authority, which shall comprise the parishes of Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll.

(7) Acadiana Area Human Services District, which shall comprise the parishes of Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, and Vermilion.

(8) Imperial Calcasieu Human Services Authority, which shall comprise the parishes of Allen, Beauregard, Calcasieu, Cameron, and Jefferson Davis.

(9) Central Louisiana Human Services District, which shall comprise the parishes of Avoyelles, Catahoula, Concordia, Grant, LaSalle, Rapides, Vernon, and Winn.

(10) Northwest Louisiana Human Services District, which shall comprise the parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Sabine, Red River, and Webster.

B. The domicile of each human services district or authority shall be within the statutory governance area of the district or authority.

C. No new human services district or authority may be established without the express authorization of the legislature.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2012, No. 231, §1, eff. May 22, 2012; Acts 2013, No. 220, §10, eff. June 11, 2013; Acts 2017, No. 73, §1, eff. June 7, 2017.

§913. Governing board for Acadiana Area Human Services District, Imperial Calcasieu Human Services Authority, Central Louisiana Human Services District, and Northwest Louisiana Human Services District; membership; appointment; terms

A. The Acadiana Area Human Services District shall be governed by a board of ten members who are residents of the seven parishes within the statutory governance area of the district. Seven members shall consist of one representative from each parish within the statutory governance area of the district who is appointed by the local governmental authority of the parish and three members shall be appointed by the governor as follows:

- (1) One member with professional expertise in the field of mental health.
- (2) One member with professional expertise in the field of substance-related and addictive disorders.
- (3) One member with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) Two members who represent law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the respective appointing parishes.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of substance-related and addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

B. The Imperial Calcasieu Human Services Authority shall be governed by a board of eight members who are residents of the five parishes within the statutory governance area of the authority. Five members shall consist of one representative from each parish within the statutory governance area of the authority who is appointed by the local governmental authority of the parish and three members shall be appointed by the governor as follows:

- (1) One member with professional expertise in the field of mental health.
- (2) One member with professional expertise in the field of substance-related and addictive disorders.
- (3) One member with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents either the judiciary, with particular emphasis on specialty courts; or law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the parishes.
- (6) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (7) One member who is a parent, consumer, or advocate in the field of substance-related and addictive disorders appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

C. The Central Louisiana Human Services District shall be governed by a board of eleven members who are residents of the eight parishes within the statutory governance area of the district. Eight members shall consist of one representative from each parish within the statutory governance area of the district who is appointed by the local governmental authority of the parish and three members shall be appointed by the governor as follows:

- (1) One member with professional expertise in the field of mental health.
- (2) One member with professional expertise in the field of substance-related and addictive disorders.
- (3) One member with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) Three members who represent law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the respective appointing parishes.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of substance-related and addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

D. The Northwest Louisiana Human Services District shall be governed by a board of twelve members who are residents of the nine parishes within the statutory governance area of the district. Nine members shall consist of one representative from each parish within the statutory governance area of the district who is appointed by the local governmental authority of the parish and three members shall be appointed by the governor as follows:

- (1) Two members with professional expertise in the field of mental health.
- (2) Two members with professional expertise in the field of substance-related and addictive disorders.
- (3) Two members with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) One member who represents law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the parishes.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of substance-related and addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

E. Appointees shall serve terms of three years. No board member shall serve more than three consecutive three-year terms.

F. Effective January 1, 2018, all boards established pursuant to this Section shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director of each district or authority provided for in this Section to ensure that the board of the district or authority satisfies the enumerated criteria herein. The executive director shall work with the local parish governmental authorities in the district's or authority's statutory governance area and with the governor to ensure compliance with the board requirements of this Section.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017; Acts 2017, No. 369, §2.

§913.1. Governing board for Jefferson Parish Human Services Authority; membership; appointment; terms

A. The Jefferson Parish Human Services Authority shall be governed by a board of twelve members who are residents of Jefferson Parish. Nine members shall be appointed by the Jefferson Parish Council and three members shall be appointed by the governor as follows:

- (1) Two members with professional expertise in the field of mental health.
- (2) Two members with professional expertise in the field of addictive disorders.
- (3) Two members with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) One member who represents law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the parish.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

B. Each member shall serve for a three-year term. No board member shall serve more than two consecutive three-year terms.

C. Effective January 1, 2018, the board shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director to ensure that the board satisfies the enumerated criteria herein. The executive director shall work with the Jefferson Parish Council and the governor to ensure compliance with the board requirements of this Section.

D. The Jefferson Parish attorney shall be the legal advisor for the authority.

Acts 2017, No. 73, §1, eff. June 7, 2017.

§913.2. Governing board for Florida Parishes Human Services Authority; membership; appointment; terms

A. The Florida Parishes Human Services Authority shall be governed by a board of nine members. The board shall include three residents from the parish of St. Tammany; two residents each from the parishes of Livingston and Tangipahoa; and one resident each from the parishes of St. Helena and Washington.

B. The members shall be appointed by the governing authority of each parish. All appointments shall require ratification by a plurality of the legislative delegation representing the five parishes which are included in the authority.

C. The Florida Parishes Human Services Authority board shall be comprised of the following nine members:

- (1) One member with professional expertise in the field of mental health.
- (2) One member with professional expertise in the field of addictive disorders.
- (3) One member with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) One member who represents law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the parish.
- (7) One member who is a parent, consumer, or advocate in the field of mental health.
- (8) One member who is a parent, consumer, or advocate in the field of addictive disorders.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities.

D. Each member shall serve for a three-year term. No board member shall serve more than three consecutive three-year terms.

E. Effective January 1, 2018, the board shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director to ensure that the board satisfies the enumerated criteria herein. The executive director shall work with the local parish governmental authorities in the authority's statutory governance area and with the governor to ensure compliance with the board requirements of this Section.

Acts 2017, No. 73, §1, eff. June 2, 2017.

§913.3. Governing board for Metropolitan Human Services District; membership; appointment; terms

A. The Metropolitan Human Services District shall be governed by a board of thirteen members. The board shall include nine residents from the parish of Orleans and two residents each from the parishes of St. Bernard and Plaquemines who shall be appointed by the chief executive officer of each parish subject to approval of the governing authority of each parish. The board shall be comprised of the following thirteen members:

- (1) Two members with professional expertise in the field of mental health.
- (2) Two members with professional expertise in the field of addictive disorders.
- (3) Two members with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) Two members who represent law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the respective appointing parishes.
- (7) One member who is a parent, consumer, or advocate in the field of mental health.
- (8) One member who is a parent, consumer, or advocate in the field of addictive disorders.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities.

B. Each member shall serve for a three-year term. No board member shall serve more than three consecutive three-year terms.

C. Effective January 1, 2018, the board shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director to ensure that the board satisfies the enumerated criteria herein. The executive director shall work with the local parish governmental authorities in the district's statutory governance area to ensure compliance with the board requirements of this Section.

Acts 2017, No. 73, §1, eff. June 7, 2017.

§913.4. Governing board for South Central Louisiana Human Services Authority; membership; appointment; terms

A. The South Central Louisiana Human Services Authority shall be governed by a board of nine members. The board shall include two residents from the parishes of Lafourche and Terrebonne and one resident each from the parishes of Assumption, St. Charles, St. James, St. John the Baptist, and St. Mary who shall be appointed by their respective police jury and ratified by a plurality of the legislative delegation representing the seven parishes which are included in

the statutory governance area of the authority. The board shall be comprised of the following nine members:

- (1) One member with professional expertise in the field of mental health.
- (2) One member with professional expertise in the field of addictive disorders.
- (3) One member with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) One member who represents law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the parish.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

B. Each member shall serve for a three-year term. No board member shall serve more than three consecutive three-year terms.

C. Effective January 1, 2018, the board shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director to ensure that the board satisfies the enumerated criteria herein. The executive director shall work with the local parish governmental authorities in the authority's statutory governance area to ensure compliance with the board requirements of this Section.

Acts 2017, No. 73, §1, eff. June 7, 2017.

§913.5. Governing board for Northeast Delta Human Services Authority; membership; appointment; terms

A. The Northeast Delta Human Services Authority shall be governed by a board of seventeen members. The board shall include four residents from the parish of Ouachita; two residents each from the parishes of Morehouse and Lincoln; and one resident each from the parishes of Caldwell, East Carroll, Franklin, Jackson, Madison, Richland, Tensas, Union, and West Carroll.

B. The members shall be appointed by the governing authority of each parish, with the exception of Ouachita Parish, in which they shall be appointed by the Ouachita Council of Government. All appointments shall require ratification by a plurality of the legislative delegation representing the twelve parishes which are included in the authority.

C. The seventeen-member board shall be comprised as follows:



- (1) Two members with professional expertise in the field of mental health.
- (2) Two members with professional expertise in the field of addictive disorders.
- (3) Two members with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) Three members who represent law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the respective appointing parishes.
- (7) Two members who are parents, consumers, or advocates in the field of mental health.
- (8) Two members who are parents, consumers, or advocates in the field of addictive disorders.
- (9) Two members who are parents, consumers, or advocates in the field of developmental disabilities.

D. Each member shall serve for a three-year term. No board member shall serve more than three consecutive three-year terms.

E. Effective January 1, 2018, the board shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director to ensure that the board satisfies the enumerated criteria herein. The executive director shall work with the local parish governmental authorities in the authority's statutory governance area to ensure compliance with the board requirements of this Section.

Acts 2017, No. 73, §1, eff. June 7, 2017.

#### §913.6. Governing board for Capital Area Human Services District; membership; appointment; terms

A. The Capital Area Human Services District shall be governed by a board of seventeen members. The board shall include two residents of each of the following parishes: Ascension, East Feliciana, Iberville, Pointe Coupee, West Baton Rouge, and West Feliciana. Five of the members shall be residents of East Baton Rouge Parish. The members shall be appointed by the governor from among a list of qualified candidates nominated by the governing authority of each parish. The candidates from Ascension Parish shall be nominated by the parish president. The seventeen-member board shall be comprised as follows:

- (1) Two members with professional expertise in the field of mental health.
- (2) Two members with professional expertise in the field of addictive disorders.
- (3) Two members with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member with professional expertise in the field of public health.

(6) One member who represents the judiciary, with particular emphasis on specialty courts.

(7) Two members who represent law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the respective appointing parishes.

(8) Two members who are parents, consumers, or advocates in the field of mental health.

(9) Two members who are parents, consumers, or advocates in the field of addictive disorders.

(10) Two members who are parents, consumers, or advocates in the field of developmental disabilities.

B. Each appointment by the governor shall be submitted to the Senate for confirmation.

C. Each member shall serve for a three-year term. No board member shall serve more than three consecutive three-year terms.

D. Effective January 1, 2018, the board shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director to ensure that the board satisfies the enumerated criteria herein. The executive director shall work with the local parish governmental authorities in the district's statutory governance area to ensure compliance with the board requirements of this Section.

Acts 2017, No. 73, §1, eff. June 7, 2017.

#### §913.7. Governing board; general provisions

The following provisions shall apply to all district and authority governing boards:

(1) Each board member shall serve without compensation, but shall be reimbursed for expenses and mileage at the same rate set by the division of administration for state employees for each day in actual attendance at board meetings or for representing the board in an official board-approved activity.

(2) The chairman shall be selected by a majority vote of the board. The term of the chairman shall be established under the board's bylaws.

(3) No member of the board or of his immediate family shall own or have any interest or part in any public or private organization, business, company, or entity conducting business of any kind with the district or authority.

(4) The board shall adopt and maintain bylaws to provide for the governance of the board. Such bylaws shall include but not be limited to:

(a) Procedures for the election of board officers, including terms of office and methods and grounds for removal.

(b) Procedures and grounds for the removal of any board member. Grounds for removal shall include conviction of a felony or may include failure to meet board attendance as provided in the bylaws.

(5) Procedures for filling a vacancy created by the removal, resignation, or death of any board member prior to the end of the board member's term shall follow those used for initial appointments.

(6) All members of the board and employees of the district or authority shall be subject to the Code of Governmental Ethics.

Acts 2017, No. 73, §1, eff. June 7, 2017.

§914. Requirements for districts and authorities; board education and awareness

A. The board shall be briefed by the executive director on the following issues in the manner deemed appropriate by the executive director:

- (1) Mission and purpose of the district or authority.
- (2) How the mission and purpose are practically applied in the community.
- (3) Relationships in the community that are crucial to the district or authority's success.
- (4) How those relationships are established, maintained, and built upon.
- (5) How each member of the board serves as a delegate to foster those crucial community relationships.
- (6) Role of the district or authority in times of disaster.
- (7) Funding for the district or authority, including state and federal funding, grant opportunities, and other funding sources.
- (8) Billing and collections processes.
- (9) Budgeting and account balances.
- (10) Audits by the legislative auditor within the past five years.
- (11) Employees and contractors, and their roles in operating the district or authority.
- (12) The option of the board to select a new executive director.
- (13) The contractual relationship with the Louisiana Department of Health.
- (14) Compliance with the Code of Governmental Ethics.
- (15) Compliance with the Public Records Law.
- (16) Compliance with the Open Meetings Law.
- (17) Process for development and ratification of bylaws.
- (18) Discussion of how regularly scheduled board meetings will be conducted.
- (19) The district or authority's responsibility to prioritize and provide for state-funded services, as established in R.S. 28:821 et seq., in order to meet the needs of the individuals in their statutory governance area. Each fiscal year, every district and authority shall allocate a minimum of an amount equal to nine percent of its state general fund appropriation for the provision of services established in R.S. 28:821 et seq. for persons with developmental disabilities and their families. The state general fund appropriation for which the minimum nine percent is calculated may be adjusted to align with any budget reductions mandated by the division of administration.
- (20) Any other matter deemed important by the executive director.

B. The executive director may include representatives from the Louisiana Department of Health, office of the Louisiana legislative auditor, Louisiana Ethics Administration, office of the Louisiana attorney general, or any other entity that can provide important information to the board members during any board meeting.

C. A new board member orientation shall be held upon appointment of any new member and the executive director shall brief the new board member on the issues set forth in Subsection A of this Section.

D. All district and authority boards shall adopt:

(1) A mission, vision, and policy for the operation of the district or authority. The board shall set policy as a body and shall employ an executive director who shall be accountable to the board, as a body, for the implementation of the policies established by the board.

(2) Bylaws that specify that the board may act only as a body and not through the individual actions of any individual board member, unless the board member is given explicit authority by a majority vote of the board to carry out a specific function, or the function is reasonably required of a board member serving as an officer of the board. Under penalty of removal, no board member shall, directly or indirectly, provide direction to or interfere with any employee of the district or authority.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017.

§915. Districts and authorities; functions, powers, and duties; sole-source contracting

A. Pursuant to a contract with the department, all human services districts and authorities shall:

(1) Perform the functions which provide community-based services and continuity of care for the prevention, detection, treatment, rehabilitation, and follow-up care of mental and emotional illness.

(2) Be responsible for community-based programs and functions relating to the care, diagnosis, training, treatment, case management, and education of persons with intellectual disabilities, persons with developmental disabilities, and persons with autism.

(3) Perform community-based functions for the care, diagnosis, training, treatment, and education related to substance-related and addictive disorders, including but not limited to alcohol, drug abuse, or gambling.

(4) Perform community-based functions which provide services and continuity of care for education, prevention, detection, treatment, rehabilitation, and follow-up care relating to personal health, as determined to be feasible by the department.

(5) Maintain services specified in Paragraphs (1) through (4) of this Subsection as stipulated by the contract with the department.

(6) Collect or cause to be collected all monies due the district or authority for the provision of services pursuant to statutory requirements and any other form of contract or agreement by which the district or authority provides services and levies charges.

(7) Manage through their governing board the services required by Paragraphs (1) through (4) of this Subsection and operate within the scope of a contract with the department. Each district or authority shall be operated in a manner that meets standards and competencies regarding financial controls, clinical protocols, human resources, legal resources, purchasing, contracting, and outcomes measurement.

(8) Participate, as a critical part of Louisiana's healthcare infrastructure, in all emergency planning, preparedness, response, and recovery efforts within the statutory governance area of the human services district or authority and assist on a statewide basis if requested to do so by the secretary or his designee.

(9) Provide state-funded services, as established in R.S. 28:821 et seq., to meet the needs of the individuals in their statutory governance area. Each fiscal year, every district and authority shall allocate a minimum of an amount equal to nine percent of its state general fund appropriation for the provision of services established in R.S. 28:821, et seq. for persons with developmental disabilities and their families. The state general fund appropriation for which the

minimum nine percent is calculated may be adjusted to align with any budget reductions mandated by the division of administration.

B. In addition to the functions as provided in Subsection A of this Section, the district or authority shall have the following powers and duties:

(1) To enter into contracts of every nature in compliance with this Chapter and other state laws.

(2) To enter into contracts with the judicial branch to be a provider of behavioral health services ordered by the court through any statutorily authorized specialty court program which requires certain behavioral health treatments. Such sole-source contracts shall be limited to a district court physically located within the statutory governance area of the human services district or authority.

(3) To enter into contracts with a correctional facility to be a provider of behavioral health services if the correctional facility is in need of such services as part of an emergency department diversion program, or upon successful completion of a re-entry program that requires ongoing services. Such sole-source contracts shall be limited to a correctional facility, emergency department, or residence of an individual completing the re-entry process located within the statutory governance area of the human services district or authority.

(4) To acquire movable and immovable property by lease, purchase, donation, or otherwise and to obtain title to same in its own name. The district or authority may lawfully sell or dispose of the property.

(5) To have possession and operating control, but not title to, all immovable and movable property owned by the state and dedicated to the provision of behavioral health services, developmental disabilities or intellectual disabilities services, public health services, or any other service contracted by the department to the district or authority. The state shall continue to be responsible for the maintenance of those properties which are provided by the state on the effective date of this Chapter.

(6) To establish community-based behavioral health, developmental disabilities or intellectual disabilities, public health, and other contracted program policies in conformance with the contract with the department and applicable state and federal laws, rules, and regulations.

(7) To establish performance indicators and reporting requirements as outlined in the contract between the district or authority and the department to determine the quality of services delivered by the district or authority and maintain the services at the level of the standards set by the department.

(8) To employ an executive director to oversee the operations of the district or authority and who shall be responsible for the administration and management of all aspects of the district or authority.

(9) To retain all self-generated funds and any funds collected for the provision of services in excess of funds provided through contract with the department.

(10) To carry out responsibilities relative to developmental disabilities and intellectual disabilities services delivery provided in R.S. 28:451.3.

C. Each human services district or authority shall constitute a body corporate in law, with all of the powers of a corporation, including the power to sue and be sued. Each district or authority shall also have all the powers and rights conferred by this Chapter and the power to perform any other act in its corporate capacity and in its corporate name which is necessary and proper for effectuating the purposes for which the district or authority was created. Each district or authority shall constitute a special district or authority within the meaning of Article VI,

Section 19 of the Constitution of Louisiana, shall be a political subdivision of the state, and enjoy all rights, powers, and privileges enjoyed by other political subdivisions of the state under the constitution and laws of the state, excluding the rights to incur long-term debt, issue bonds, or levy taxes and special assessments.

D. The board shall submit any reports or information to the secretary of the department upon request of the secretary. The board shall also submit quarterly reports as outlined in the contract with the department, indicating the services provided, the number of persons served, and the amount spent on such services.

E. Notwithstanding any provision of state law to the contrary, the districts and authorities and the department shall share access to each other's client case records of clients for whom they both provide services, to the extent that access is not prohibited by any contrary provision of federal law or regulation.

F. The provisions of Subsections A and B of this Section shall not include the following:

(1) Operation and management of any inpatient facility under the jurisdiction of the department.

(2) Operation, management, and performance of functions and services relating to environmental health, including but not limited to regulatory function as performed by sanitarians and engineers within the office of public health pursuant to R.S. 40:4 through 10, R.S. 40:2701 et seq., Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, R.S. 37:2101 et seq., the state's Sanitary Code, and all other relevant federal and state law, rules, and regulations.

(3) Operation, management, and performance of functions and services relating to the Louisiana Vital Records Registry and the collection of vital statistics within the office of public health pursuant to R.S. 40:5, R.S. 40:32 through 79, R.S. 44:401 et seq., and R.S. 40: 1061.17, including the Putative Father Registry and the vital records management information system.

(4) Operation, management, and performance of functions and services relating to laboratory analyses by the state division of laboratories with the office of public health in the area of personal and environmental health.

(5) Operation, management, and performance of functions and services relating to education provided by or authorized for any state or local education department or agency.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2012, No. 231, §1, eff. May 22, 2012; Acts 2014, No. 811, §14, eff. June 23, 2014; Acts 2015, No. 20, §1, eff. May 29, 2015; Acts 2017, No. 73, §1, eff. June 7, 2017; Acts 2017, No. 369, §2; Acts 2018, No. 206, §1.